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PATENT / 063

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:  
Bertram et al.

: Before the Examiner:  
Huynh, B.

Serial No.: 09/143,967

: Group Art Unit: 2173

Filed: August 31, 1998

: IBM Corporation  
: Intellectual Property Law

Title: MOBILE CLIENT COMPUTER  
PROGRAMMED TO PREDICT INPUT

: Department 972/B656  
: P.O. Box 12195  
: Research Triangle Park, NC 27709

July 3, 2001

SUPPLEMENTAL APPEAL BRIEF

Box AF  
Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir:

This brief is being submitted pursuant to 37 C.F.R. §1.193(b)(2)(ii). Applicants are furnishing herewith three (3) copies of this brief.

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CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231, on July 3, 2001.

Signature

Toni Stanley

(Printed name of person certifying)

I. INCORPORATION BY REFERENCE

The Applicants hereby incorporate herein by reference Sections I-VI and VIII-IX in the Appeal Brief having a mailing date of May 1, 2001.

II. GROUPING OF CLAIMS

In the Notice of Non-Compliance with a mailing date of June 29, 2001, the Examiner stated that "appellant's grouping of claims is not agreed with because the claims grouped by the appellants were previously canceled in the amendment filed on 8/31/98." See Notice of Non-Compliance, Page 2. Applicants replace Section VII in the Appeal Brief having a mailing date of May 1, 2001 with the following:

Claims 37 and 38 form a first group.

Claims 42 and 47 form a second group.

Claims 49 and 50 form a third group.

Claims 54 and 59 form a fourth group.

Claims 61 and 62 form a fifth group.

Claims 66 and 71 form a sixth group.

Claims 39, 40, 41, 43, 44, 45, 46, 48, 51, 52, 53, 55, 56, 57, 58, 60, 63, 64, 65, 67, 68, 69, 70 and 72 should not be grouped together and should each be considered separately.

The reasons for these groupings are set forth in Applicants' arguments in Section VIII.

III. REMARKS

In the Notice of Non-Compliance having a mailing date of June 29, 2001, the Examiner has objected to claims 46, 58 and 70 but were stated to be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants have amended claims 46, 58 and 70 to include the limitations of the base

and intervening claims in an amendment in accordance with 37 C.F.R. §1.116 filed herewith Applicants' Supplemental Appeal Brief.

Applicants note that in response to the Examiner's changed status with respect to claims 46, 58 and 70, the arguments in Section VIII in the Appeal Brief having a mailing date of May 1, 2001 with respect to claims 46, 58 and 70 are rendered moot by allow ability.

IV. CONCLUSION

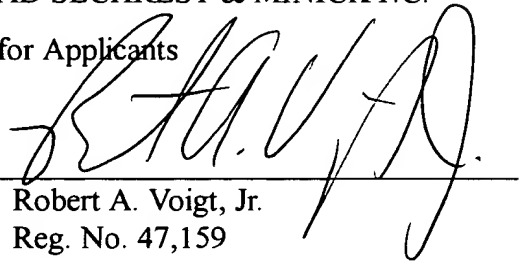
Applicants respectfully assert that the claims are patentable over the cited prior art.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

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